

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

Joseph Odish, *et al.*,

Plaintiffs,

v.

Case No. 14-10283

Peregrine Semiconductor, Inc., *et al.*,

Sean F. Cox

United States District Court Judge

Defendants.

**ORDER DECLINING TO EXERCISE SUPPLEMENTAL JURISDICTION
OVER STATE-LAW CLAIMS**

On January 22, 2014, Plaintiffs filed this action, based upon federal-question jurisdiction.

The complaint also asserts several state-law claims, over which this Court may exercise supplemental jurisdiction.

The applicable statute regarding supplemental jurisdiction, 28 U.S.C. § 1367, provides, in pertinent part, that district courts may decline to exercise supplemental jurisdiction over a claim when:

- 1) the claim raises a novel or complex issue of State law;
- 2) the claim substantially predominates over the claim or claims over which the district court has original jurisdiction;
- 3) the district court has dismissed all claims over which it has original jurisdiction, or
- 4) in exceptional circumstances, there are other compelling reasons for declining jurisdiction.

28 U.S.C. § 1367(c).

Having reviewed the state-law claims in Plaintiffs' complaint, this Court concludes that Plaintiffs' state-law claims predominate. 28 U.S.C. § 1367(c)(2). In addition, the Court finds

that the potential for jury confusion in this case would be great if Plaintiffs' federal claims were presented to a jury along with Plaintiffs' state-law claims. Thus, the potential for jury confusion is yet another reasons for this Court to decline to exercise supplemental jurisdiction over Plaintiffs' state-law claims. *United Mine Workers v. Gibbs*, 383 U.S. 715 (1966); *Padilla v. City of Saginaw*, 867 F.Supp. 1309 (E.D. Mich. 1994); 28 U.S.C. § 1367(c)(4).

Accordingly, **IT IS ORDERED** that the Court **DECLINES TO EXERCISE SUPPLEMENTAL JURISDICTION** over the Second, Third, Fourth, Fifth, and Sixth Claims in Plaintiffs' Complaint and hereby **DISMISSES** those claims **WITHOUT PREJUDICE**. Thus, the only claims that remain in this action are the First and Seventh claims in Plaintiffs' Complaint.

IT IS SO ORDERED.

S/Sean F. Cox

Sean F. Cox

United States District Judge

Dated: January 29, 2014

I hereby certify that a copy of the foregoing document was served upon counsel of record on January 29, 2014, by electronic and/or ordinary mail.

S/Jennifer McCoy

Case Manager